

Appl. No. 09/821,539
Amdt. Dated March 30, 2004
Reply to Office Action of December 30, 2003

Attorney Docket No. 81880.0096
Customer No.: 26021

REMARKS/ARGUMENTS:

Claims 1 and 4 are canceled without prejudice. Claim 5 is amended. New claim 14 is added. Support for new claim 14 can be found on p.14, lines 2-5 of the specification. Claims 2, 3, and 5-14 are pending in the application. No new matter is added. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 C.F.R. § 1.116(a). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 C.F.R. § 1.116(b). In this connection, these amendments were not earlier presented because they are in response to the matters pointed out for the first time in the Final Office Action.

Lastly, admission is requested under 37 C.F.R. § 1.116(a) as presenting rejected claims in better form for consideration on appeal.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Nagata et al. (U.S. Patent No. 5,727,105). This rejection is moot due to the cancellation of claim 1.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103:

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagata et al. (U.S. Patent No. 5,727,105).

This rejection is moot with respect to claim 4 due to the cancellation of this claim. The Applicant respectfully traverses this rejection as to amended claim 5. Claim 5 now depends from claim 2. The Office states that claim 2 is allowed. Since amended claim 5 now depends from claim 2, claim 5 is allowable for at least the

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same reasons as claim 2. Withdrawal of this rejection and allowance of claim 5 is thus respectfully requested.

ALLOWABLE SUBJECT MATTER:

Claims 2, 3, and 6-13 are allowed.

New claim 14 depends from claim 3 and is allowable for at least the same reasons as claim 3.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6810 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: March 30, 2004

By:


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